

Office of Legislative Liaison
Routing Slip

TO:

	ACTION	INFO
1. D/OLL		✓
3. DD/OLL		✓
3. Admin Officer		
4. Liaison		
5. Legislation	✓	✗
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SUSPENSE

13 April
Date

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EXECUTIVE OFFICE OF THE PRESIDENT

OFFICE OF MANAGEMENT AND BUDGET

WASHINGTON, D.C. 20503

OLC #
JF-1168

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March 19, 1984

LEGISLATIVE REFERRAL MEMORANDUM

TO: Legislative Liaison Officer

Department of the Treasury
 Department of Commerce
 General Services Administration
 Department of Transportation
 Department of the Interior
 Small Business Administration
 Department of Defense
 Department of Agriculture
 National Aeronautics and Space Administration

Central Intelligence Agency
 Department of Health and
 Human Services
 Department of Energy
 National Credit Union Administration
 Federal Deposit Insurance
 Corporation
 Federal Reserve Board

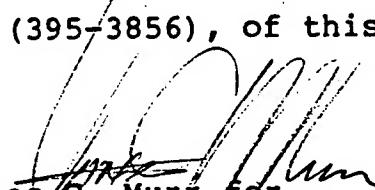
SUBJECT: Draft Justice bill on "Federal Computer Systems Protection Act of 1984"

The Office of Management and Budget requests the views of your agency on the above subject before advising on its relationship to the program of the President, in accordance with OMB Circular A-19.

Please provide us with your views no later than

April 16, 1984

Direct your questions to Gregory Jones (395-3856), of this office.


 James C. Murk for
 Assistant Director for
 Legislative Reference

Enclosures

cc: M. Allen
 M. Horowitz
 K. Wilson
 J. McNicholas
 J. Mitrisin
 A. Curtis



Office of the Attorney General
Washington, D.C. 20530

Speaker of the House
House of Representatives
Washington, DC 20515

Dear Mr. Speaker:

Enclosed for your consideration and appropriate reference is the Federal Computer Systems Protection Act of 1984, a legislative proposal that would amend the United States code to proscribe computer fraud and other crimes involving computers.

Computer related crime is a growing problem in the government and private sector. The prosecution of persons engaged in computer related crime is difficult under current federal criminal statutes. Any enforcement action in response to criminal conduct indirectly or directly related to computers must rely upon a statutory restriction dealing with some other federal offense. Even if an approach is devised that apparently covers the illegal acts, it still must be treated on an untested, untried basis of prosecution in the federal trial courts. The federal courts, the law enforcement community, those who own and operate computers, as well as those who may be tempted to commit crimes using them, require a clear statement of definition and proscribed action.

This act is designed to fill a potentially serious gap in existing federal law by providing a specific sanction for computer related crime. The act makes it a felony to knowingly devise or intend to devise a scheme or artifice to defraud, or for obtaining money or property by false or fraudulent pretences or representations, or to embezzle, steal, or convert the property of another, and to access or attempt to access certain computers for these purposes.

The act also proscribes the knowing and unauthorized damaging or destroying of a computer, computer program, or data contained in a computer. This applies to computers owned by, under contract to, or operated for or on behalf of the United States Government, a financial institution or those operating in or using a facility of interstate commerce.

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Finally, the act specifies that whoever intentionally and without authorization accesses a computer owned by, under contract to, or operated for or on behalf of the United States Government or a financial institution, shall be guilty of a misdemeanor and shall be fined not more than \$25,000 or imprisoned for not more than one year, or both.

Enclosed for your review is a section-by-section analysis of the proposal.

The Office of Management and Budget has advised that there is no objection from the standpoint of the Administration's program to the submission of this legislation to the Congress and that its enactment would be in accord with the program of the President.

Sincerely,

William French Smith
Attorney General

Enclosures

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